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PATENT  
0234-0433P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kazuhisa KASHIWAZAKI et al. Conf.: 4184  
Appl. No.: 09/978,063 Group: 1742  
Filed: October 17, 2001 Examiner: COMBS, JANELL  
For: ALUMINUM SHEET MATERIAL FOR AUTOMOBILE  
AND METHOD OF PRODUCING THE SAME

TERMINAL DISCLAIMER

Assistant Commissioner for Patents  
Washington, DC 20231

March 19, 2003

Sir:

The Furukawa Electric Co., Ltd. and Honda Giken Kogyo  
Kabushiki Kaisha, (hereinafter "the Assignees")

- ☐ residing at ,
- ☒ Corporations of Japan having a principal place of  
business at 6-1, Marunouchi 2-chome, Chiyoda-ku, Tokyo,  
Japan and 1-1, Minami-Aoyama 2-chome, Minato-ku, Tokyo,  
Japan, Respectively,

☐ a university having an address of ,  
represents that they are the true owners of the entire interest  
of U.S. patent Application No. 09/978,063, filed on October 17,  
2001, for "ALUMINUM SHEET MATERIAL FOR AUTOMOBILE AND METHOD OF  
PRODUCING THE SAME" (hereinafter "above-identified application")  
by virtue of and as evidenced by an Assignment recorded at the  
United States Patent and Trademark Office at Reel 010617,  
Frame(s) 0008.

The Assignees hereby disclaim the terminal part of any

patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,325,870, (hereinafter "Kashiwazaki '870 patent") and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the Kashiwazaki '870 patent, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

The Assignees do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of the Kashiwazaki '870 patent in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

This Terminal Disclaimer is submitted on behalf of the Assignees by the undersigned, an attorney of record in the above-identified application.

Appl. No. 09/978,063

Please charge any fees or credit any overpayment pursuant to  
37 C.F.R. § 1.20 to Deposit Account No. 02-2448.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

Date: March 19, 2003

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### Comparative test

Aluminum sheet materials, Samples A<sub>3</sub> and C<sub>3</sub>, were prepared in the same manner as Samples A<sub>1</sub> and C<sub>1</sub> in Example 1 in the present specification, except that the cooling rate (3°C/second) after final annealing was changed to about 100°C/hour (0.028°C/second). This cooling rate (0.028°C/second) was employed based on the description in D2 (JP-A-9-256095). These sheet materials were tested for tensile strength, proof strength, elongation and bending property, in the same conditions as described in lines 10 to 22 on page 16 in Example 1 of the present specification.

The results are shown in Table A below.

Further, for reference, the results of Samples A<sub>1</sub> and C<sub>1</sub> shown in Table 4 on page 21 in the specification of the present application, were excerpted and are shown in Table A.

Table A

	Sample			
	This invention Cooling rate: 3°C/second		Comparative example Cooling rate: 0.028°C/second	
	A <sub>1</sub>	C <sub>1</sub>	A <sub>3</sub>	C <sub>3</sub>
Tensile strength (MPa)	311	276	<u>180</u>	<u>160</u>
Proof strength (MPa)	185	156	<u>90</u>	<u>80</u>
Elongation (%)	20.2	22.3	23	24
Bending property	GOOD	GOOD	GOOD	GOOD

